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Jo Ann Cervantes, District Clerk
Val Verde County, Texas
Sandra Luna

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NO. 32374

BEVERLY VAUGHAN, Individually
and as Personal Representative of the
ESTATE OF RICHARD GRAY, JIMMY
GRAY, RICHARD L. GRAY, JR. and
VICKI G. BROCKETTE

Plaintiffs

v.

JULIUS CLARK, R DEEP,
TRANSPORTATION, INC and
GILL ROADWAYS, INC.

Defendants

IN THE 63rd DISTRICT COURT

OF

VAL VERDE COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, BEVERLY VAUGHAN, Individually and as Personal Representative of the
ESTATE OF RICHARD GRAY, JIMMY GRAY, RICHARD L. GRAY, JR. and VICKI G.
BROCKETTE, Plaintiffs herein, and file this their Original Petition against JULIUS CLARK, R
DEEP TRANSPORTATION, INC. and GILL ROADWAYS, INC., Defendants herein, and would
respectfully show the Court the following:

I.
DISCOVERY CONTROL PLAN

Plaintiffs intend to conduct discovery under Level 3 of TEXAS RULES OF CIVIL PROCEDURE
190.4 because this suit involves damages totaling more than \$3,000,000.00, and requires discovery
tailored to the circumstances of the case.

II.
STATEMENT OF RELIEF

The Plaintiffs seek monetary relief over \$3,000,000.00. Plaintiffs further disclose that they
are seeking damages in the maximum amount of \$10,000,000.00. Plaintiffs' damages are



significant, cannot be determined at this time, and are within the province of the jury to determine at the time of trial.

III.
PARTIES

Plaintiff BEVERLY VAUGHAN is an individual residing in Midland County, Texas.

Plaintiff JIMMY GRAY is an individual residing in Midland County, Texas.

Plaintiff RICHARD L. GRAY, JR. is an individual residing in Dade County, Florida.

Plaintiff VICKI G. BROCKETTE is an individual residing in Dallas County, Texas.

Defendant JULIUS CLARK is an individual who may be served with process at 225 Pennsylvania Avenue, Apt. A3, Fairfield, California 94533.

Defendant GILL ROADWAYS, INC. is a California corporation and may be served with process through its registered agent RAVINDER S. GILL at 8992 Neponset Drive, Elk Grove, California 95624.

Defendant R DEEP TRANSPORTATION, INC. is a California corporation and may be served with process through its registered agent Taranbir Dhanoa at 5022 Brown Lane, Fairfield, California 94533.

IV.
JURISDICTION

This Court has subject matter jurisdiction over the lawsuit because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

V.
VENUE

Venue is proper in Val Verde County, Texas, under the TEXAS CIVIL PRACTICE AND REMEDIES CODE because all or a substantial part of the events or omissions giving rise to the claim occurred in Val Verde County, Texas.

VI.
BACKGROUND

JULIUS CLARK was employed by and/or a borrowed servant of both GILL ROADWAYS, INC. and R DEEP TRANSPORTATION, INC. at all times relevant herein.

On July 7, 2015, JULIUS CLARK was traveling westbound on Loop 79. RICHARD GRAY, decedent, was traveling eastbound on Loop 79. Mr. Clark is suspected of being fatigued or falling asleep while driving. Mr. Clark ultimately crossed over the center line and onto the eastbound lanes in which Mr. Gray was traveling. Mr. Clark'S 18-wheeler struck Mr. Gray's vehicle causing Mr. Gray's serious personal injury and eventual death.

VII.
NEGLIGENCE

Defendant JULIUS CLARK breached his duty to exercise ordinary care in the operation of the above-referenced tractor and trailer by failing to maintain control of it; failing to stay in his lane of travel; and failing to operate it in a reasonable and prudent manner.

Furthermore, Defendants GILL ROADWAYS, INC. and R DEEP TRANSPORTATION, INC. are jointly and severally liable for the negligence of JULIUS CLARK under the doctrine of Respondeat Superior.

Furthermore, Defendants GILL ROADWAYS, INC. and R DEEP TRANSPORTATION, INC. breached their duty to exercise ordinary care in the hiring, training and supervision of Defendant JULIUS CLARK.

The above-referenced breaches of duty proximately caused serious personal injuries and the resulting death of RICHARD GRAY.

VIII.
DAMAGES

The Estate of RICHARD GRAY hereby seeks an award of damages for the following:

1. The Pain and Suffering of RICHARD GRAY;
2. The Mental Anguish of RICHARD GRAY;
3. The Pecuniary Loss of RICHARD GRAY;
4. The Medical Expenses incurred in the past of RICHARD GRAY; and
5. The Funeral Expenses of RICHARD GRAY.

The Plaintiffs, who are the family of RICHARD GRAY, seek an award of damages for the following:

1. Mental Anguish;
2. Pecuniary Loss;
3. Loss of Companionship and Society;
4. Loss of Household Services;
5. Loss of Inheritance; and
6. Funeral Expenses Reimbursement.

IX.
JURY DEMAND

Plaintiffs demand a jury trial and have tendered the appropriate fee.

X.
DISCOVERY

Plaintiffs request that Defendants respond to the attached discovery requests in accordance with the TEXAS RULES OF CIVIL PROCEDURE. Attached hereto as Exhibit "A" is the requested discovery.

XI.
PRAYER

For these reasons, Plaintiffs asks that Defendants be cited to appear and upon final hearing be awarded a judgment against Defendants for the following:

- A. Damages in conformity with what has been set forth above;
- B. Pre-judgment and post-judgment interest.
- C. Court costs.
- D. All other relief to which Plaintiffs are entitled.

Respectfully submitted,

McCLESKEY, HARRIGER,
BRAZILL & GRAF, L.L.P.



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